

August 11, 2010

Permit: APC-2010/0082-CONSTRUCTION (NO_x RACT)(NSPS)

Permit: APC-2010/0083-CONSTRUCTION (NO_x RACT)(NSPS)

Mountaire Farms of Delaware, Inc.- Millsboro
Natural Gas Boilers 1 and 2

Mountaire Farms of Delaware, Inc.
P.O. Box 1320
Millsboro, DE 19966

ATTENTION: Beth B. Sise
Environmental Manager

Dear Ms. Sise:

Pursuant to the 7 **DE Admin. Code** 1102 Section 2 and Section 11, approval by the Department of Natural Resources and Environmental Control is hereby granted for the construction of Boiler 1 (Emission Unit 1) and Boiler 2 (Emission Unit 2), both Cleaver Brooks boilers, Model CBLE-800-150ST, to fire on natural gas, located at the Millsboro Complex in Millsboro, Delaware, in accordance with the application submitted on Form Nos. AQM-1, AQM-2, AQM-3.2, AQM-5, AQM-1001, AQM-1001A, AQM-1001W and AQM-1001BB dated May 27, 2010 signed by Paul Downes, COO.

This permit is issued subject to the following conditions:

1. General Provisions

- 1.1 This permit expires on August 31, 2011. If the equipment covered by this permit will not be constructed by August 31, 2011, a request to extend this construction permit must be submitted by July 18, 2011.
- 1.2 The project shall be constructed in accordance with the application described above. If changes are necessary, revised plans must be submitted and a supplemental approval issued prior to actual construction.
- 1.3 Representatives of the Department may, at any reasonable time, inspect this facility.
- 1.4 This permit may not be transferred to another location or to another piece of equipment or process.

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- 1.5 This permit may not be transferred to another person, owner, or operator unless the transfer has been approved in advance by the Department. A request for a permit transfer shall be received by the Department at least thirty (30) days before the date of the requested permit transfer. This request shall include:
 - 1.5.1 Signed letters from each person stating the permit transfer is agreeable to each person; and
 - 1.5.2 An Applicant Background Information Questionnaire pursuant to 7 Del. C., Chapter 79 if the person receiving the permit has not been issued any permits by the Department in the previous five (5) years.Approval (or disapproval) of the permit transfer will be provided by the Department in writing.
- 1.6 The applicant shall, upon completion of the construction, installation, or alteration, request in writing that the Department grant approval to operate.
 - 1.6.1 A separate application to operate pursuant to 7 **DE Admin. Code** 1102 does not need to be submitted to the Department for the equipment or process covered by this construction permit. Upon a satisfactory demonstration by an on-site inspection that the equipment or process complies with all of the terms and conditions of this permit, the Department shall issue a 7 **DE Admin. Code** 1102 Operating Permit for this equipment or process.
 - 1.6.2 The applicant shall notify the Department sufficiently in advance of the demonstration and shall obtain the Department's prior concurrence of the operating factors, time period, and other pertinent details relating to the demonstration.
 - 1.6.3 The provisions of 7 **DE Admin. Code** 1102 Sections 2.1 and 11.3 shall not apply to the operation of equipment or processes for the purposes of initially demonstrating satisfactory performance to the Department following construction, installation, modification, or alteration of the equipment or processes.
- 1.7 The owner or operator shall submit a complete application for a significant permit modification to **Permit: AQM-005/00004 (Renewal 2)** pursuant to 7 **DE Admin. Code** 1130 Section 7.5.3 within twelve calendar months of requesting permission to operate. The application shall address all applicable requirements including those of 40 CFR Part 64 (Compliance Assurance Monitoring) if applicable.
- 1.8 The owner or operator shall not initiate construction, install, or alter any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department pursuant to 7 **DE Admin. Code** 1102, and, when applicable 7 **DE Admin. Code** 1125, and receiving approval of such application from the Department; except as exempted in 7 **DE Admin. Code** 1102 Section 2.2.

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2. Emission Limitations

- 2.1 Air contaminant emission levels shall not exceed those specified in 7 **DE Admin. Code** 1100 and the following:
 - 2.1.1 Volatile Organic Compound (VOC) Emissions
VOC emissions shall not exceed 0.13 pounds per hour and 0.57 tons per twelve (12) month rolling period for each boiler.
 - 2.1.2 Nitrogen Oxide (NO_x) Emissions
NO_x emissions shall not exceed 1.14 pounds per hour and 4.99 tons per twelve (12) month rolling period for each boiler.
 - 2.1.3 Carbon Monoxide (CO) Emissions
CO emissions shall not exceed 1.19 pounds per hour and 5.21 tons per twelve (12) month rolling period for each boiler.
 - 2.1.4 Sulfur Oxide (SO_x) Emissions
SO₂ emissions shall not exceed 0.06 pounds per hour and 0.24 ton per twelve (12) month rolling period for each boiler.
 - 2.1.5 Particulate Matter (PM₁₀) Emissions
PM₁₀ emissions shall not exceed 0.33 pounds per hour and 1.43 tons per twelve (12) month rolling period for each boiler.
- 2.2 Particulate emissions from each emission unit shall not exceed 0.3 lb/MMBTU heat input on a maximum two (2) hour average.
- 2.3 Nitrogen oxide emissions from Emission Units 1 and 2 shall not exceed those achieved through an annual tune-up performed by qualified personnel.
- 2.4 No person shall cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty percent (20%) opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period.
- 2.5 Odors from this source shall not be detectable beyond the plant property line in sufficient quantities such as to cause a condition of air pollution.

3. Operational Limitations

- 3.1 The owner or operator shall comply with the following operational limits:
 - 3.1.1 The Company shall combust only natural gas in these emission units.
 - 3.1.2 Total natural gas combusted in Emission Units 1 and 2 shall not exceed 543.45 MMSCF in any rolling twelve-month period.
 - 3.1.3 No owner or operator shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would

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otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

- 3.1.4 The owner or operator of an affected facility shall record and maintain records of the amount of fuel combusted during each operating day.
- 3.1.5 As an alternative to meeting the requirements of Condition 3.1.4, the owner or operator of an affected facility may elect to record and maintain records of the amount of fuel combusted during each month.
- 3.1.6 As an alternative to meeting the requirements of Condition 3.1.4, the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.
- 3.1.7 Operating hours for each boiler shall not exceed 8,736 hours in any rolling twelve-month period. The Company shall meet the control technology requirements of Minor New Source Review if the Company requests an increase in operating limits that result in a NO_x potential to emit above five tons per year.
- 3.1.8 The Company shall have qualified personnel perform tune-ups for Emission Units 1 and 2.
- 3.3 At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable, maintain and operate the facility, including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determinations of whether acceptable operating procedures are being used will be based on information available to the Department, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- 3.4 All structural and mechanical components of the equipment covered by this permit shall be maintained in proper operating condition.

4. Testing and Monitoring Requirements

- 4.1 The Department reserves the right to require that the owner or operator perform emission tests using methods approved in advance by the Department.
- 4.2 Each month, the Company shall monitor the total MMSCF of natural gas combusted in Emission Units 1 and 2.
- 4.3 Each month, the Company shall monitor the total MMSCF of natural gas for the twelve (12) month period immediately preceding the date of record for Emission Units 1 and 2.
- 4.4 The Company shall monitor in a log the following:

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- 4.4.1 Each annual tune-up.
- 4.4.2 Personnel performing the annual tune-ups.
- 4.4.3 Maintenance performed on the units.

5. Record Keeping Requirements

- 5.1 The owner or operator shall maintain all records necessary for determining compliance with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request.
- 5.2 The following information shall be recorded, initialed and maintained in a log:
 - 5.2.1 Maintenance performed on the units.
 - 5.2.2 Each annual tune-up.
 - 5.2.3 Personnel performing the annual tune-ups.
- 5.3 Any owner or operator shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; and any malfunction of the air pollution control equipment.
- 5.4 The owner or operator shall maintain records of the amount of fuel combusted in the boilers in accordance with Condition 3.1.4, or Condition 3.1.5, or Condition 3.1.6.
- 5.5 Each month, the Company shall record the total MMSCF of natural gas for the twelve (12) month period immediately preceding the date of record for Emission Units 1 and 2.
- 5.6 Each month, the Company shall record the hours of operation for each boiler for the twelve (12) month period immediately preceding the date of record for Emission Units 1 and 2.
- 5.7 The rolling twelve (12) month total emissions shall be calculated and recorded each month in a log for each of the following pollutants.
 - 5.7.1 Volatile Organic Compounds
 - 5.7.2 Nitrogen Oxides
 - 5.7.3 Carbon Monoxide
 - 5.7.4 Sulfur Oxides
 - 5.7.5 Particulate Matter (PM10)

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6. Reporting Requirements

- 6.1 Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department immediately upon discovery by calling the Environmental Emergency Notification and Complaint number, (800) 662-8802.
- 6.2 In addition to complying with Condition 6.1 of this permit, any reporting required by 7 **DE Admin. Code** 1203 "**Reporting of a Discharge of a Pollutant or an Air Contaminant**", and any other reporting requirements mandated by the State of Delaware, the owner or operator shall, for each occurrence of excess emissions, within thirty (30) calendar days of becoming aware of such occurrence, supply the Department in writing with the following information:
 - 6.2.1 The name and location of the facility;
 - 6.2.2 The subject source(s) that caused the excess emissions;
 - 6.2.3 The time and date of the first observation of the excess emissions;
 - 6.2.4 The cause and expected duration of the excess emissions;
 - 6.2.5 For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
 - 6.2.6 The proposed corrective actions and schedule to correct the conditions causing the excess emissions.
- 6.3 The owner or operator shall submit Notification of the date Construction or Reconstruction is commenced. This notification shall include the following and shall be postmarked no later than 30 days after such date:
 - 6.3.1 The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
 - 6.3.2 If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels.
 - 6.3.3 The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.
- 6.4 The owner or operator shall submit Notification of Initial Startup. This notification shall be postmarked within 15 days of such date and shall include the information detailed in Condition 6.3.
- 6.5 One (1) original and one (1) copy of all required reports shall be sent to the address below:

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Division of Air Quality
Blue Hen Corporate Center
655 South Bay Road, Suite 5N
Dover, DE 19901

- 6.6 The Company shall submit notifications and reports required by Conditions 6.3 and 6.4 in duplicate to the address below:

The Director, Air Protection Division
USEPA Region III
Mail Code 3AP00
1650 Arch Street
Philadelphia, PA 19103-2029

7. Administrative Conditions

- 8.1 This permit shall be made available on the premises.
- 8.2 Failure to comply with the provisions of this permit may be grounds for suspension or revocation.

Sincerely,

Paul E. Foster, P.E.
Program Manager
Engineering & Compliance Branch

PEF:JLF:MAS
F:\EngAndCompliance\MAS\mas10081.doc

pc: Dover Title V File
Melanie Smith

MEMORANDUM

TO: Paul E. Foster, P.E.

THROUGH: Joanna L. French, P.E.

FROM: Melanie A. Smith, P.E.

**SUBJECT: Mountaire Farms of Delaware, Inc.
Millsboro Complex
Permit: APC-2010/0082-CONSTRUCTION (NOx RACT)(NSPS)
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Natural Gas Boilers 1 and 2**

DATE: July 26, 2010

BACKGROUND INFORMATION

Mountaire Farms of Delaware, Inc. requested a Construction Permit to construct two Cleaver Brooks boilers, both Model CBLE-800-150ST and designated Boiler 1 (Emission Unit 1) and Boiler 2 (Emission Unit 2), to fire on natural gas. The new boilers are replacing Boiler 5, a Babcock and Wilcox 36 MMBTU/hr boiler, and Boiler 6, a Babcock and Wilcox 61.7 MMBTU/hr boiler, both fired on No. 6 fuel oil. Beth Sise, Environmental Manager, submitted appropriate application forms on May 27, 2010. The permit will be advertised for fifteen days. After completion of the construction-to-operation inspection, the Company will be issued an operating permit. The Company has twelve calendar months from requesting permission to operate to submit a complete application for a significant permit modification to **Permit: AQM-005/00004(Renewal 2)** pursuant to 7 **DE Admin. Code** 1130 Section 7.5.3.

The Company has not requested confidentiality.

The Company is located within the Coastal Zone. The Company has applied for a Coastal Zone Permit, however, it is not necessary for the construction of these boilers.

The Company is current with their annual fees and has paid appropriate construction application fees.

TECHNICAL INFORMATION

Boilers 1 and 2 are identical and each has a rated heat input of 32.659 MMBTU/hr (800 HP). A limit of 543.45 MMSCF (RT12) natural gas consumption based on 8,736 hours for both boilers was placed in the permit.

Potential to Emit

Natural Gas

Hourly emissions for natural gas at 100% firing rate were taken from *Cleaver Brooks Boiler Estimated Exhaust/Emission Performance Data* and are tabled below:

Equipment	SOx (lb/hr)	NOx (lb/hr)	CO (lb/hr)	PM10 (lb/hr)	VOC (lb/hr)
Boiler 1	0.055	1.143	1.192	0.327	0.131
Boiler 2	0.055	1.143	1.192	0.327	0.131

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PTE emissions based on 8,760 hours are tabled below:

Equipment	SO _x (TPY)	NO _x (TPY)	CO (TPY)	PM10 (TPY)	VOC (TPY)
Boiler 1	0.24	5.006	5.221	1.43	0.574
Boiler 2	0.24	5.006	5.221	1.43	0.574

The source does not exceed threshold limits for Sussex County and is a natural minor. Requested permitted operating hours were 24 H/day, 7 days/week, and 52 weeks/yr, for a total of 8,736 hours per year. Even though the boilers exceed the 7 **DE Admin. Code** 1125, Section 4, potential to emit threshold limit of five tons per year for NO_x, an 8,736 hour per year operating limit complies with Minor New Source Review.

Rolling twelve month total operating hours will be limited to 8,736 hours to comply with the regulation.

$$1.143 \text{ lb/hr} \times T/2000 \times X \text{ hr/yr} = 5 \text{ TPY NO}_x$$

$$X = 8,748.9 \text{ hr/yr}$$

Permitted Emissions

Boilers 1 and 2 are operated 24 H/day, 7 days/week, and 52 weeks/yr for a total of 8,736 hours. Using the pound/hour emission rates for natural gas and 8,736 hours/year, natural gas combustion emissions are tabled below:

Pollutant	Boiler 1 (TPY)	Boiler 2 (TPY)
SO _x	0.24	0.24
NO _x	4.99	4.99
CO	5.21	5.21
PM10	1.43	1.43
VOC	0.57	0.57

SCREEN3 Modeling

The effects air contaminant emissions from natural gas combustion on the public health, safety, and welfare were assessed using Department criteria. The criteria assume no adverse effect when the ratio of the Threshold Limit Value to the Maximum Downwind Concentration (TLV:MDC) is at least 100:1 at the nearest property line and beyond for each air contaminant released. The TLV of each air contaminant was obtained from the pamphlet, 2009 TLVs[®] and BEIs[®], published by the American Conference of Governmental Industrial Hygienists (ACGIH). The MDC of each air contaminant was computed using SCREEN3 air dispersion modeling.

In utilizing SCREEN3, the boiler stacks were treated as point sources. Point source variables in SCREEN3 are air contaminant emission rates (in lb/H), stack height (in ft), stack inside diameter (in ft), stack gas exit velocity (in ft/s) or air flow rate (in acfm), stack gas exit temperature (in °F), receptor height above ground level (in ft), and the rural/urban option. Values input for the stack parameters were the following:

Equipment	Stack Height (ft)	Stack Diameter (ft)	Gas Flow Rate (acfm)	Exit Gas Temperature (°F)
Boiler 1	38	2	9971	379
Boiler 2	38	2	9971	379

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The remaining input values were the default value of 70°F for ambient temperature, a receptor height above ground of 0 ft, and the urban option. The hourly emissions for PM10 were assumed to be that of PM.

SCREEN3 predicts the MDC location for each air contaminant for Boilers 1 and 2 to occur 328 ft from the exhaust of each stack. The distance to the nearest property line is 250 ft. The MDC results from SCREEN3 adjusted to an 8-hour average along with the associated TLVs and the TLV:MDC for each contaminant are shown below:

Pollutant	TLV (8-hr, mg/m ³)	MDC (8-hr, mg/m ³)	TLV:MDC
NO _x	5.65	0.0060	942
SO _x	5.24	0.0003	17,000
VOC	29	0.0007	41,000
CO	28.64	0.0063	4,546
PM10	10	0.0017	5,900

The TLV:MDC ratios for the pollutants are above the 100:1 criteria established by the Department. As such, the public health, safety, and welfare are presumed to not be adversely impacted by either Boiler 1's or Boiler 2's emissions.

REGULATORY REVIEW

- X 7 **DE Admin. Code** 1102: Permits
- X 7 **DE Admin. Code** 1104: Particulate Emissions From Fuel Burning Equipment
- X 7 **DE Admin. Code** 1112: Control of Nitrogen Oxide Emissions
- X 7 **DE Admin. Code** 1114: Visible Emissions
- X 7 **DE Admin. Code** 1119: Control of Odorous Air Contaminants
- 7 **DE Admin. Code** 1120: New Source Performance Standards
- 7 **DE Admin. Code** 1124: Control of Volatile Organic Compound Emissions
- X 7 **DE Admin. Code** 1125: Requirements for Preconstruction Review
- X 7 **DE Admin. Code** 1130: Title V State Operating Permit Program
- 7 **DE Admin. Code** 1138: Emission Standards for Hazardous Air Pollutants for Source Categories
- X 40 CFR Part 60 Subpart Dc: Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
- X 40 CFR Part 60 Subpart A: General Provisions

7 **DE Admin. Code** 1102, Section 2.1, *Permits*, is applicable. The Company is subject to the following requirement, "..., no person shall initiate construction, install, alter or initiate operation of any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to receiving approval of his application from the Department..." With this, the Company shall obtain a 7 **DE Admin. Code** 1102 construction permit prior to construction.

7 **DE Admin. Code** 1104, Section 2.1, *Particulate Emissions From Fuel Burning Equipment*, is applicable. The boilers are subject to the following particulate emissions limit from fuel burning equipment, "No person shall cause or allow the emission of particulate matter in excess of 0.3 pound per million BTU heat input, maximum 2-hour average, from any fuel burning equipment." This emission limitation was placed in the permit. Compliance with 7 **DE Admin. Code** 1104 shall be consistently demonstrated as long as the boilers combust natural gas. The PM emission factor for natural gas is 1.0E-05 lb/MMBTU.

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7 DE Admin. Code 1112, Section 1.0, *Control of Nitrogen Oxide Emissions*, is applicable because the facility is a major source of NO_x. As stated in section 3.3.2, since each boiler is less than 50 MMBTU/hr, maximum emissions for nitrogen oxides shall not exceed those achieved through an annual tune-up performed by qualified personnel. The owner or operator shall maintain a log of the tune-ups performed on each unit. These conditions have been placed in the permit.

DE Admin. Code 1114, Section 2.1, *Visible Emissions*, is applicable. The boilers are subject to the following visible emissions requirement, "No person shall cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty percent (20%) opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period." Particulate emissions from the boilers while operating on natural gas are 1.0E-05 lb/MMBTU. This level of particulate should not have a significant potential to cause an opacity violation. Therefore, compliance with the visible emissions standard while operating on natural gas is demonstrated based upon records showing the type of fuel combusted and proper operation of the boiler.

7 DE Admin. Code 1119, Section 2.1, *Control of Odorous Air Contaminants*, is applicable. The boiler is subject to the following control of odorous air contaminants requirement, "No person shall cause or allow the emission of an odorous air contaminant such as to cause a condition of air pollution." Compliance is demonstrated through the Company having no contradictory knowledge of any citizen odor complaint and through a satisfactory review of complaint history by the Department. The record keeping requirement has been placed in the permit.

7 DE Admin. Code 1120, *New Source Performance Standards*, is not applicable to the boilers. According to Section 2.1 of this Regulation, except as provided in Section 9 and Section 11, the provisions of this section are applicable to any fuel burning equipment of more than 250 MMBTU/hr heat input. Section 9 is applicable to electric utility steam generating units, and Section 11 is applicable to fuel gas combustion devices in petroleum refineries.

7 DE Admin. Code 1124, *Control of Volatile Organic Compound Emissions*, is not applicable to Emission Units 1 and 2. Each boiler does not emit more than 15 pounds per day of VOCs.

7 DE Admin. Code 1125, Section 4.3, *Minor New Source Review, Requirements for Preconstruction Review*, is applicable because the boilers will be installed after the applicability date of August 11, 2005, the source requires a permit under **7 DE Admin. Code 1102**, the source is not covered by the Emission Offset Provisions (EOP) or Prevention of Significant Deterioration of Air Quality (PSD), and each boiler's potential to emit NO_x is greater than 5 TPY. Specifying an operating limit of 8,736 hours/year limits emissions of NO_x to below the five ton per year applicability threshold. The Company shall meet the control technology requirements of MNSR if the Company requests an increase in operating limits that result in a NO_x potential to emit above five tons per year.

7 DE Admin. Code 1130, *Title V State Operating Permit Program*, is applicable because the facility is a major source of SO_x, NO_x, and PM₁₀. The permit will be advertised for fifteen days. After completion of the construction-to-operation inspection, the Company will be issued an operating permit. The Company has twelve calendar months from requesting permission to operate to submit a complete application for a significant permit modification to **Permit: AQM-005/00004(Renewal 2)** pursuant to **7 DE Admin. Code 1130** Section 7.5.3. These requirements have been placed in the permit.

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7 DE Admin. Code 1138, *Emission Standards for Hazardous Air Pollutants for Source Categories*, is not applicable because the source is not major for HAP.

40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, is applicable to Emission Units 1 and 2 since the boilers are each 32.659 MMBTU/hr. According to §60.40c(a), except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 MW (100 MMBTU/hr) or less, but greater than or equal to 2.9 MW (10 MMBTU/hr).

40 CFR Part 60.48c(a):

§60.48c(a) states that the owner or operator shall submit notification of the date of construction or reconstruction and actual startup, as provided by §60.7 of this part. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

40 CFR Part 60.48c(g)

(g)(1): Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator shall record and maintain records of the amounts of fuel combusted during each operating day.

(g)(2): As an alternative to meeting the requirements of (g)(1), the owner or operator may elect to record and maintain records of the amount of fuel combusted during each calendar month.

(g)(3): As an alternative to meeting the requirements of (g)(1), the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

40 CFR Part 60.48c(i):

§60.48c(i) requires that all records be maintained for a period of two years. The more stringent five year requirement of the Department will be placed in the permit.

40 CFR Part 60 Subpart A, *General Provisions*

40 CFR Part 60.7:

In accordance with §60.7(a), the owner or operator shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of the source, electronic notification, as follows:

- (1) A notification of the date construction (or reconstruction) is commenced postmarked no later than 30 days after such date.
- (2) A notification of the actual date of initial startup postmarked within 15 days after such date.

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According to §60.7(b), any owner or operator shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; and any malfunction of the air pollution control equipment.

40 CFR Part 60.11(d):

At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions..." This requirement has been placed in the permit as Condition 3.3. Compliance shall be demonstrated based on records of maintenance performed on the boilers.

40 CFR Part 60.12:

No owner or operator shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

RECOMMENDATIONS

The application was advertised Friday, July 23, 2010 for a fifteen-day public comment period. The proposed project and attached permit comply with all applicable zoning requirements and federal and state air pollution control laws and regulations. If no comments or requests for public hearing are received, I recommend that the attached **Permits: APC-2010/0082-CONSTRUCTION (NO_x RACT)(NSPS)** and **APC-2010/0083-CONSTRUCTION (NO_x RACT)(NSPS)** be issued.

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pc: Dover File